IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

&
THE HON'BLE MR. JUSTICE C.V.RAMULU

WRIT PETITION NO : 8302 of 2005

Between:

1 S. Ramakrishna S/o. Bhumaiah
R/o. H.No. 5-6-338, Bottuguda, Nalgonda.
2 P. Narsi Reddy S/o. Venkat Reddy
R/o. Amuya Colony, Pangal Road, Nalgonda.
3 D. Ram Reddy S/o. Linga Reddy,
R/o. Srinagar Colony, Nalgonda.
4 N. Ravindar Reddy S/o. Bixam Reddy
R/o. Chervupally (V), Tiparthy (M), Nalgonda District.
5 Md. Shariff S/o. Daud Khan
R/o. H.No. 6-2-905, Meerbagh Colony, Nalgonda.
6 Veepuri Srinu S/o. Ramulu
R/o. Prakasam Bazar, Nalgonda.
7 K. Sanjeeva Reddy S/o. Govind Reddy
R/o. 6-6-331, Vivekananda Nagar, Nalgonda.
8 E. Madhusudhan S/o. Laxminarayana
R/o. Plot No.4, Alivelu Manga Colony, Ramgiri, Nalgonda.
9 V. Padma W/o. Anthireddy
R/o. H.No. 8-1-818, RTC Colony, Nalgonda.
10 V. Majohar S/o. Laxminarayana
R/o. 6-4-188, N.G. Colony, Nalgonda,
11 K. Ravinder S/o. Sreeramulu
R/o. 6-9-74, New Raghavendra Coony, Nalgonda.
12 S. Murali Krishna S/o. Rangaiah
R/o. 6-3-20/B, N.G. Colony Road, Ramagiri, Nalgonda.
13 D. Shiva Shankar S/o. Chandramouli,
R/o. Ramagiri, Nalgonda.
14 S. Yadaiah S/o. Muthaiah
R/o. 5-12-385, B.T.S. MLG Road, Nalgonda.
15 P. Shiva Shankar S/o. Yalamanda
R/o. H.No. 5-12-270, Srinivas Colony, (BTS), Nalgonda.
16 A. Madhusudhan Reddy S/o. Narayan Reddy
R/o. 4-10-18/8, Sriramnagar, D.V.K. Road, Nalgonda.

17 Kedari S/o. Kotaiah
R/o. H.No. 8-1-614, RTC Colony, Nalgonda.
18 G. Chandrakala W/o. Bixam
R/o. Plot No. 6-2-395/1, Sai Sri Colony, Near S.L.N. Swamy Colony, Nalgonda.
19 Y. Rama Chandram S/o. Lingaiah
R/o. H.No. 1-1-63, Hanumannagar, Mungod Road, Nalgonda.
20 B. Janaiah S/o. Lingaiah
R/o. 1-80, Cheruvughattu, Narkatpally (M), Nalgonda DIstrict.
21 G. Ramreddy S/o. Lingareddy
R/o. Chandanapally (V) Nalgonda (M) Nalgonda District.

.PETITIONERS

AND

1 The Government of Andhra Pradesh, Rep. by its Principal Secretary,
Transport Roads & Buildings (T.R.-II), Department, Secretariat,

Hyderabad.
2 The Secretary, Regional Transport Authority, Nalgonda,
Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or direction preferably writ of Mandamus declaring the impugned G.O.Ms.No.152 Transport, Roads and Buildings (TR-II) dt. 1-12-2001 as illegal, arbitrary, without jurisdiction and contrary to the 1st Schedule of A.P. Motor Vehicles taxation Act 1963 and violative of principles of natural justice and consequently direct the respondents to collect tax of Rs. 1,000/- from the petitioners in respect of their vehicles bearing Nos. AP24V 5667, AP24V 5165, AP24V 3227, AP24V 3926, AP24U 8691, AP24V 4514, AP24V 1672, AP1U 3938, AP24V 1597, AP24U 7788, AP24U 8280, AP9U 3912, AP24V 1656, AP12U 4639, AP24U 9211, AP24U 8055, AP24U 8573, AP28U 8926, AP24V 0212, AP24V 6086, AP24V 5624 and AP9X 3839 respectively as per G.O.Ms.No. 216 Transport Roads & Buildings (TR-II) dt. 4-12-1997 and pass such other or further orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondents : GP FOR TRANSPORT

WRIT PETITION NO : 8340 of 2005

Between:

C. Dastagiri, S/o. C. Dastagiri,
R/o. 1-42, Gudipadu Village, Divvur Mandal, Kadapa District.

..... PETITIONER

AND

1 The Govt of A.P., rep. by its Prl. Secretary, Transport, R & B (TR-II) Dept., Secretariat, Hyderabad.
2 The Secretary, Regional Transport Authority, Kadapa, Kadapa Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the impugned G.O.Ms.152, Transport, R & B (TR-II), dt. 01.12.2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P. Motor Vehicle Taxation Act 1963 and consequently direct the Respondents to collect Tax of Rs. 1,000/- for the petitioner's bearing Registration No. AP 04U 5278 per quarter as per G.O.Ms.No.216, T R & B (TR-II), dt. 04.12.1997.

Counsel for the Petitioner: MR.CHALLA SIVA SANKAR

Counsel for the Respondents: GP FOR TRANSPORT

WRIT PETITION NO : 8341 of 2005

Between:

S. Veeraiah S/o Suraiah
Duvvur Village and Mandal, Kadapa District.

..... PETITIONER

AND

1 The Govt. of A.P., rep. by its Principal Secretary,
Transport, Roads and Buidlings (TR-II) Dept., Secretariat, Hyderabad.
2 The Secretary Regional Transport Authority,
Kadapa Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the impugned G.O.Ms.No.152, Transport, Roads and Buildings (TR-II) dt.1.12.2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P.Motor Vehicle Taxation Act 1963 and consequently direct the respondents to collect Tax of Rs.1,000/- for the petitioners vehicle bearing Registration No.AP 04U 4195 per quarter as per G.O.Ms.No.216, TR & B (TR-II)

dt.04.12.1997.

Counsel for the Petitioner: MR.CHALLA SIVA SANKAR

Counsel for the Respondents: GP FOR COMMERCIAL TAX

WRIT PETITION NO : 8342 of 2005

Between:

K.Nagendra, S/o.K.Srinivasulu,
Duvvur Village & Mandal, Kadapa District.

..... PETITIONER

AND

1 The Govt. of A.P., rep.by its Prl.Secretary, Transport, R&B, (TR-II) Dept., Secretarait, Hyderabad.
2 The Secretary, Regional Transport Authority, Kadapa, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may leased to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the impugned G.O.Ms.152, Transport, Roads & Buildings, (TR-II), dated 01-12-2001 as illegal, arbitrary without Jurisdiction and contrary to the 1st schedule of the A.P. Motor vehicle Taxation Act 1963 and consequently direct the Respondents to collect tax of Rs.1,000/- for the petitioner's vehicle bearing Registration No.AP 04U 4920 per quarter as per G.O.Ms.No.216, TR & B (TR-II), dated 04-12-1997, and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.CHALLA SIVA SANKAR

Counsel for the Respondents: GP FOR COMMERCIAL TAX

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WRIT PETITION NO : 8343 of 2005

Between:

Shaik Mahaboob Basha, s/o Shaik Imamsab,
Duvvur Village & Mandal, Kadapa District.

..... PETITIONER

AND

1 The Government of A.P., rep., by its Principal Secretary, Transport, Roads & Buildings (TR.II) Department, Secretariat, Hyderabad.
2 The Secretary, Regional Transport Authority, Kadapa, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the impugned G.O.Ms.No.152, Transport, Roads & Buildings (TR.II) dated 01-12-2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P.Motor Vehicle Taxation Act, 1963 and consequently direct the respondents to collect tax of Rs.1,000/- for the petitioner's vehicle bearing Registration No. AP 04U 2735 per quarter as per G.O.Ms.No.216 T R & B (TR-II) dated 04-12-1997, and pass such other order or orders, as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.CHALLASIVASANKAR

Counsel for the Respondents: GP FOR TRANSPORT

WRIT PETITION NO : 8344 of 2005

Between:

P.Nagaraju, S/o.Chinna Gopanna,
Duvvur Village and Mandal, Kadapa District.

..... PETITIONER

AND

1 The Govt. of A.P., rep. by its Principal Secretary,
Transport, Roads and Buildings (TR-II) Dept., Secretariat, Hyderabad.
2 The Secretary, Regional Transport Authority
Kadapa Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the impugned G.O.Ms.No.152, Transport, Roads and

Buildings (TR-II) dt.01.12.2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P.Motor Vehicle Taxation Act 1963 and consequently direct the respondents to collect Tax of Rs.1,000/- for the petitioner's vehicle bearing Registration No. AP 04U 4957 per quarter as per G.O.Ms.No.216, TR & B (TR-II) dt.04.12.1997.

Counsel for the Petitioner: MR.CHALLA SIVA SANKAR

Counsel for the Respondents: GP FOR COMMERCIAL TAX

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WRIT PETITION NO : 8345 of 2005

Between:

K. Venkata Ramanaiah, S/o. K. Venkata Subbaiah
Duvvur Village & Mandal, Kadapa District.

..... PETITIONER

AND

1 The Govt. of A.P., rep. by its Principal Secretary,
Transport, Roads & Buildings (TR-II) Dept., Secretariat, Hyderabad.
2 The Secretary, Regional Transport Authority,
Kadapa, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High may be pleased to issue Writ, Order or direction, more particularly one in the nature of writ of Mandamus, declaring the impugned G.O.Ms.No.152, Transport, Roads & Buildings (TR-II), dt.01.12.2001 and illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P.Motor Vehicle Taxation Act 1963 and consequently direct the respondents to collect tax of Rs.1,000/- for the petitioner's vehicle bearing Registration No.AP 04 U 4201 per quarter as per G.O.Ms.No.216, T R & B (TR-II), st.04-12-1997, and pass such other or orders.

Counsel for the Petitioner: MR.CHALLA SIVA SANKAR

Counsel for the Respondents: GP FOR TRANSPORT

WRIT PETITION NO : 8346 of 2005

Between:

M.Muralikrishna, S/o. M.Ramaraju,
Duvvur Village & Mandal, Kadapa District.

..... PETITIONER

AND

1 The Govt. of A.P., rep. by its Principal Secretary,
Transport, Roads & Buildings (TR-II) Dept., Secretariat, Hyderabad.
2 The Secretary, Regional Transport Authority,
Kadapa, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order, direction, more particularly one in the nature of Writ of Mandamus, declaring the impugned G.O.Ms.No.152, Transport, Roads & Buildings (TR-II), dt.01.12.2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P. Motor Vehicle Taxation Act 1963 and consequently direct the respondents to collect tax of Rs.1,000/- for the petitioner's vehicle bearing Registration No. AP 04 U 4392 per quarter as per G.O.Ms.No.216, T R & B (TR-II), dt.04-12-1997.

Counsel for the Petitioner: MR.CHALLA SIVA SANKAR

Counsel for the Respondents: GP FOR TRANSPORT

WRIT PETITION NO : 8347 of 2005

Between:

J. Ameer Basha S/o T. Abdul Rasool
Duvvur Village and Mandal, Kadapa District.

..... PETITIONER

AND

1 The Government. of Andhra Pradesh, rep. by its Principal Secretary,
Transport, Roads and Buidlings (TR-II) Dept., Secretariat, Hyderabad.
2 The Secretary, Regional Transport Authority,
Kadapa, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of Writ of

Mandamus, declaring the impugned G.O.Ms.No.152, Transport, Roads and Buildings (TR-II) dt.01.12.2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P. Motor Vehicle Taxation Act 1963 and consequently direct the respondents to collect Tax of Rs.1,000/- for the petitioner's vehicle bearing Registration No. AP 04U 4392 per quarter as per G.O.Ms.No.216, TR & B (TR-II) dt.04.12.1997.

Counsel for the Petitioner: MR.CHALLA SIVA SANKAR

Counsel for the Respondents: GP FOR COMMERCIAL TAX

WRIT PETITION NO : 8418 of 2005

Between:

1. T. Kalesha S/o. Khaja Miya, Owner of Vehicles beariong Nos. AP 26 W 4533 & AP 26 W 4753, R/o. Ward No. 3, Gangamita, Vinjamur Village, Nellore District.
2 Sk. Noorjahan W/o. Sk. Khaj Masthan, owner of Vehicles beasring No. AP 26

W 4599, Vinjamur Village, Nellore District.

3 Poluboina Malyadri S/o. Mala Kondaiah
Owner of Vehicles beariong No. AP 26 F 207, Vinjamur Village, Nellore

District.

4 M. Hazarath Reddy S/o. Hazarat Reddy, Owner of Vehicles beariong No.l AP

26 U 8556, Vinjamur Village, Nellore District.

5 Ch. Venkateswarlu S/o. Ramaiah, Owner of Vehicles bearing No. AP 26

U 7254, Vinjamur village, Nellore District.

6 G. Prasad Reddy S/o. Narasimha Reddy, Owner of Vehicles bearing Nos. A.P.26 W 2534 and A.P.26 W 1618, Vinjamur Village, Nellore District.

7 M. Venkateswara Rao S/o. Venkataiah, Owner of Vehicles beariong No. AP

26 W 4667, R/o. Kaligiri Mandal, Nellore District.

8 R. Ramesh Reddy S/o. Subba Reddy,Owner of Vehicles beasriong No. AP 26

U 6684, Vinjamur Village, Nellore District.

9 D. Venkata Rami Reddy S/o. Venka Reddy,Owner of Vehicles bearing No.

AP 26 U 7245, Vinjamur Village, Nellore District.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, Rep. by its Principal Secretary, Transport, Roads & Buildings (TR-II) Dept., Secretariat, Hyderabad.
2 The Secretary, Regional Transport Authority, Nellore, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ or order, direction more particularly one in the nature of writ of Mandamus, declaring the impugned G.O.Ms.No. 152, Transport, Roads & Buildings (TR-II), dt. 01-12-2001 as illegal, arbitrary without jurisdiction and contrary to the 1st Schedule of the A.P. Motor Vehicles taxation Act 1963 and consequently direct the respondents to collect tax of Rs. 1,000/- for the petitioner's vehicles for quarter as per G.O.Ms.No. 216 Transport, Roads & Buildings (TR-II), dt. 04-12-1997 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.J.U.M.V.PRASAD

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following:

COMMON JUDGMENT: (per C.V. RAMULU,J)

The question of law that falls for consideration in these writ petitions is squarely covered by the Judgment of ours in W.P.No.6179 of 2005 and batch, which are disposed of just now.

Following the same, these writ petitions are also dismissed. No order as to costs.

B.Sudershan Reddy, J

20-4-2005

C.V.Ramulu, J

Prk

Copies to:

1 The Principal Secretary The Government of Andhra Pradesh, Principal

Secretary, Transport Roads & Buildings (T.R.-II), Department,

Secretariat, Hyderabad.

2 The Secretary, Regional Transport Authority, Nalgonda,
Nalgonda District.

3. The Secretary, Regional Transport Authority, Kadapa, Kadapa Dist.

4 The Secretary, Regional Transport Authority,
Nellore, Nellore District.

5 Two CCs to the GP for Transport, High Court Buildings, Hyderabad.

(OUT)

6 Two CD copies.